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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/236,753	01/25/1999	ALEXANDER F. KEITH	074451.P041X	1039

7590

07/01/2003

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EXAMINER

TRAN, PHUOC

ART UNIT

PAPER NUMBER

2621

DATE MAILED: 07/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 2621

1. Newly submitted claims 44-107 are directed to an invention that is independent or distinct from the invention originally claimed (canceled claims 27-43) for the following reasons: they are directed to distinct species. For example, claim 44 is directed to an invention which requires "at least one marker to indicate a location of at least one bit-plane of a coding unit within a codestream for parsing" and a "parser to parse the bit stream to make truncated data". Such requirements are not found in the invention originally claimed (i.e., canceled claims 27-43).

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 44-107 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

2. The amendment filed on 4/14/03 canceling all claims drawn to the elected invention (i.e., the invention has been constructively elected by original presentation for prosecution on the merits) and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because they are directed to distinct species.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR

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1.136(a) ARE AVAILABLE.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc Tran whose telephone number is (703) 305-4861. The examiner can normally be reached on 9:30 AM-6:00 PM from Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H. Boudreau, can be reached on (703) 305-4706.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

*Phuoc Tran*  
PHUOC TRAN  
EXAMINER